



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

July 12, 2023

BY ECF

The Honorable Paul A. Engelmayer
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *ACLU et al. v. DOD et al.*, No. 17 Civ. 3391 (PAE)

Dear Judge Engelmayer:

This Office represents the defendant agencies (“Defendants”) in the above-captioned lawsuit brought pursuant to the Freedom of Information Act (“FOIA”). We write respectfully on behalf of the parties to provide a joint status update pursuant to the Court’s Order dated June 6, 2023 (ECF No. 184).

Since the last report, the parties’ discussions have again, unfortunately, not progressed further due primarily to continuing issues affecting the undersigned counsel, which were not fully anticipated as of the last status report. In particular, the undersigned had to schedule an unanticipated procedure in the interim. Counsel have conferred again about internal goals for moving these discussions forward. Based on these circumstances, and on the upcoming availability of both lead counsel to confer regarding the outstanding issues, the parties respectfully and jointly ask the Court’s leave to submit a further status report by August 17, 2023, by which time the parties anticipate being able to report further progress. We thank the Court for its consideration of this request.

Respectfully,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York
Attorney for Defendants

By: /s/ Rebecca S. Tinio
REBECCA S. TINIO
Assistant United States Attorney
86 Chambers Street, Third Floor
New York, NY 10007
Tel.: (212) 637-2774
Facsimile: (212) 637-2686
E-mail: rebecca.tinio@usdoj.gov

Granted. SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge
July 13, 2023